

**Notice of Allowability**

Application No.

09/742,956

Examiner

Steven P. Sax

Applicant(s)

BALDINO, ROBERT L.

Art Unit

2174

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment 8/5/05 and Examiner's Amendment 8/25/05.
2. ☒ The allowed claim(s) is/are 2-9, 11, 13-20 and 22-24.
3. ☒ The drawings filed on 24 January 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 8/25/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

PRIMA

### DETAILED ACTION

1. This application has been examined. The Amendment filed 8/5/05 has been entered.

2. An examiner's amendment to the record appears below. This was made to clarify in the independent claims the hierarchical functionality by requiring a plurality of associated hierarchically layered image capture location icons (and thus besides the additional language, this amendment deletes "atleast one..."), as well as how for a given digital image, the associated geographical information is produced to be presented with the image. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

In independent claim 1:

Line 1, between "producing" and "a digital image" please insert "geographical information to be presented with a"

Line 8, please delete "comprising" and replace with "presenting both"

Line 8, between "and" and "capture location" please delete "a" and replace with "an associated"

Line 9-10, please delete "having at least one associated graphical image capture location icon wherein" and replace with ","

Line 10, please delete "comprises" and replace with "comprising an associated"

In independent claim 15:

Line 1, between "producing" and "a digital image" please insert "geographical information to be presented with a"

Line 9, please delete "comprising" and replace with "presenting both"

Line 10, between "and" and "capture location" please delete "a" and replace with "an associated"

Line 10-11, please delete "having at least one associated graphical image capture location icon wherein" and replace with ","

Line 11, please delete "comprises" and replace with "comprising an associated"

In independent claim 24:

Line 1, between "processing unit" and "comprising" please insert "for producing geographical information to be presented with a digital image for display,"

Line 12, please delete "comprising" and replace with "presenting both"

Line 12, between "and" and "capture location" please delete "a" and replace with "an associated"

Line 13, please delete "at least one of the" with "a"

Line 14, please delete "said" and replace with "each"

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Roland Schindler on 8/25/05.

4. The following is an examiner's statement of reasons for allowance: The amendment filed 8/5/05 brings in the "hierarchically layered arrangement" language into claim 24 as is recited in the other independent claims, and the examiner's amendment 8/25/05 further clarifies in all the independent claims the functionality of this by requiring a plurality of associated hierarchically layered image capture location icons to fulfil the hierarchical layout. Furthermore, the examiner's amendment clarifies how for a given digital image, the associated geographical information is produced to be presented with the image, thus avoiding any issues with Prabhu et al (currently under the same assignee as the present invention). Prabhu et al is directed toward navigating geographic information to get to whatever digital images fall under the information selected, whereas the present invention is directed toward the inverse concept, in that for a given captured digital image to be displayed, a hierarchically layered arrangement of capture location icons (representing geographical location where that specific image was captured), arranged according to geographic specificity, is presented with the digital image for display. The features combined in independent claims 4 (method), 15 (system), and 24 (processing unit), all amended, are not set forth in the prior art of record.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P. Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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